

SEP 15 2005

BEFORE THE FEDERAL ELECTION COMMISSION

SECRETARIAT

In the Matter of

MUR 5535

Veterans for Bush

2005 SEP 15 P 2: 59

CASE CLOSURE UNDER THE
ENFORCEMENT PRIORITY SYSTEM

SENSITIVE

GENERAL COUNSEL'S REPORT

Under the Enforcement Priority System matters that are low-rated

and are deemed inappropriate for review by the Alternative Dispute Resolution

Office are forwarded to the Commission with a recommendation for dismissal. The

Commission has determined that pursuing low-rated matters compared to other higher rated

matters on the Enforcement docket warrants the exercise of its prosecutorial discretion to

dismiss these cases.

The Office of General Counsel scored MUR 5535 as a low-rated matter. It should be

noted that the complainant did not identify any respondents, nor has the Office of General

Counsel been able to identify any potential respondents, in this matter. Thus, in reviewing

the merits of MUR 5535 in furtherance of the Commission's priorities and resources relative

to other pending matters on the Enforcement docket, the Office of General Counsel believes

that the Commission should exercise its prosecutorial discretion and dismiss the matter. *See*

Heckler v. Chaney, 470 U.S. 821 (1985).

RECOMMENDATION

The Office of General Counsel recommends that the Commission dismiss MUR

5535, close the file effective two weeks from the date of the Commission vote, and approve


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the appropriate letters. Closing the case as of this date will allow CELA and General Law
and Advice the necessary time to prepare the closing letters and the case file for the public
record.

James A. Kahl
Deputy General Counsel

9/13/05
Date

BY:


Gregory R. Baker
Special Counsel
Complaints Examination
& Legal Administration


Jeff S. Jordan
Supervisory Attorney
Complaints Examination
& Legal Administration

Attachment:
Narrative in MUR 5535

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5 **MUR 5535**

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7 **Complainant:** Ralph Tracy

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9 **Respondent:** Unknown (Veterans for Bush)

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11 **Allegations:** The complainant alleges that a sign reading "Veterans for Bush - Paid for
12 by Veterans," was affixed to a semi trailer located on the eastbound side of I-70 at the
13 Missouri River Bridge in St. Charles, Missouri. There were no potential respondents
14 identified by the complainant and the Office of General Counsel did not identify any
15 potential respondents when the complaint was filed.

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17 **Date complaint filed:** September 14, 2004

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